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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/978,532	10/15/2001	Ray R. Bellantoni	884.490US1	5051

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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402

EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
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3692

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/978,532

Applicant(s)

BELLANTONI ET AL.

Examiner

Clement B. Graham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

1. Claims 1-26 remained pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-26, are rejected under 35 U.S.C. 102(e) as being anticipated by Eisenhart U.S Patent 2001/0047276.

As per claim 1, Eisenhart discloses a computer-implemented method, comprising:
determining whether a first company has executed a non-disclosure agreement;
determining whether an applicant is associated with the first company;
determining whether the applicant agrees to disclosure terms; and
providing the applicant with access to information belonging to a second company. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 2, Eisenhart discloses wherein the information comprises confidential information 2 belonging to the second company. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 3, Eisenhart discloses further comprising:
determining whether the first company is authorized to a program. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 4, Eisenhart discloses wherein the second company is authorized to the program. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 5, Eisenhart discloses wherein the information is associated with the program. (Note abstract and see columns 2-9 paragraphs 0031-0105).

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As per claim 6, Eisenhart discloses wherein the program comprises a joint-development program in which the first and second companies are participants. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 7, Eisenhart discloses further comprising:
determining whether an owner of a program gives approval for the first company to participate in the program. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 8, Eisenhart discloses further comprising:
determining whether a field representative gives approval for the first company to participate in a program. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 9, Eisenhart discloses an apparatus, comprising:
a controller to allow participants in a program to exchange information regarding a program when the participants agree to terms in an authorized disclosure letter and when the participants are authorized according to authorization data. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 10, Eisenhart discloses wherein the authorization data comprises data regarding which companies are authorized to the program. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 11, Eisenhart discloses wherein the authorization data comprises data regarding employees associated with the participants. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 12, Eisenhart discloses wherein the authorization data comprises data regarding non-disclosure agreements executed by the participants. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 13, Eisenhart discloses wherein the program comprises a joint-development program in which the participants participate. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 14, Eisenhart discloses wherein the information comprises confidential information belonging to the respective participants. (Note abstract and see columns 2-9 paragraphs 0031-0105).

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As per claim 15, Eisenhart discloses a signal-bearing medium comprising instructions, wherein the instructions when read and executed by a processor comprise: displaying an interface screen that allows a user to enter a non-disclosure agreement number; when the non-disclosure agreement number is valid, displaying terms of an authorized disclosure letter; and when the user agrees to the terms, providing the user with access to information belonging to a participant in a program. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 16, Eisenhart discloses wherein the instructions further comprise: providing an access control interface, wherein the access control interface allows the participant to control access to the information. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 17, Eisenhart discloses wherein the instructions further comprise: providing a request access interface, wherein the request access interface allows the user to request access to the information. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 18, Eisenhart discloses wherein the instructions further comprise: providing a display of companies who are participants in the program. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 19, Eisenhart discloses wherein the instructions further comprise: providing a display of companies authorized to exchange information with the user on a per-program basis. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 20, Eisenhart discloses wherein the instructions further comprise: providing a display of contact information for the participant in the program. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 21, Eisenhart discloses wherein the instructions further comprise managing the information. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 22, Eisenhart discloses wherein managing the information further comprises at least one of adding, viewing, deleting, and updating the information. (Note abstract and see columns 2-9 paragraphs 0031-0105).

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As per claim 23, Eisenhart discloses a server, comprising:
a processor; and memory, comprising:
an authorized disclosure letter, authorization data, and a controller to execute on the processor to allow participants in a program to exchange information regarding a program when the participants agree to terms in the authorized disclosure letter and when the participants are authorized according to the authorization data . (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 24, Eisenhart discloses wherein the controller is further to request permission from a program owner to allow the participants to exchange the information. (Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 25, Eisenhart discloses wherein the controller is further to request permission from a field representative to allow the participants to exchange the information .(Note abstract and see columns 2-9 paragraphs 0031-0105).

As per claim 26, Eisenhart discloses wherein the program is one of a plurality of programs and wherein the controller is further to display a list of participants on a per-program basis.(Note abstract and see columns 2-9 paragraphs 0031-0105).

Conclusion

RESPONSE TO ARGUMENTS

4 Applicant's arguments filed 10/17/2006 has been fully considered but they are moot in view of new grounds of rejections.

5. Applicant's arguments filed 1/6/2006 has been fully considered but they are moot in view of new grounds of rejections.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

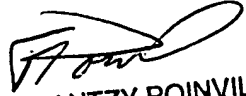
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

Dec 12, 2006


FRANTZY POINVIL
PRIMARY EXAMINER
Art 3692